

# EXHIBIT A

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

BLUE SPIKE, LLC,

*Plaintiff,*

v.

BIOMETRIKA, SRL and FULCRUM  
BIOMETRICS, LLC,

*Defendants.*

Civil Action No. 6:13-CV-00499

JURY TRIAL DEMANDED

**DECLARATION OF LUCA CECCHINI IN SUPPORT OF BIOMETRIKA, SRL'S  
MOTION TO DISMISS FOR INSUFFICIENT SERVICE OF PROCESS**

I, Luca Cecchini, hereby declare as follows:

1. My name is Luca Cecchini. I am more than eighteen years of age and competent to testify to the matters stated in this Declaration, which I make in support of Biometrika, SRL's Motion to Dismiss for Insufficient Service of Process. Unless otherwise stated, the facts provided in this Declaration are based on my personal knowledge.

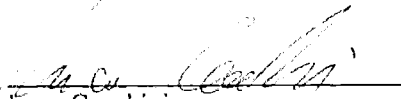
2. I am the Chairman of Board of Directors and Legal Representative of Biometrika, SRL ("Biometrika"). Biometrika is a company formed under the laws of Italy with its principal place of business at Monte Santo 21, 47122 Forli, Italy. Biometrika does not maintain any offices or employees in the United States.

3. On March 4, 2013, Biometrika received at its offices in Forli, Italy a letter from the Secretary of State for the State of Texas forwarding a copy of process. A true and correct copy of the letter and attached summons, which was sent via registered mail, is attached hereto as Exhibit 1.

4. To my knowledge as of the date of this declaration, Biometrika has not received any communication or documents related to this case through the Central Authority of Italy.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on April 5th, 2013.

  
Luca Cecchini

Chairman of Board of Directors and Legal Representative  
\_\_\_\_\_

# EXHIBIT 1

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the  
Eastern District of Texas

Blue Spike, LLC

Plaintiff(s)

v.

Biometrika, s.r.l. and Fulcrum Biometrics, LLC

Defendant(s)

Civil Action No. 6:13-CV-00045

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) Biometrika, s.r.l.  
Monte Santo 21,  
47122 Forli, Italy

c/o Texas Secretary of State  
1019 Brazos St  
Austin, TX 78701

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney,

whose name and address are: Eric M. Albritton  
ALBRITTON LAW FIRM  
P.O. Box 2649  
Longview, Texas 75606

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 2/8/13



CLERK OF COURT

David Maloney

Signature of Clerk or Deputy Clerk

223888

RECEIVED  
13 FEB 13 AM 11:21  
SECRETARY OF STATE  
AUSTIN, TEXAS

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Civil Action No. 6:13-CV-00045

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

